



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shunpei Yamazaki et al.      Art Unit : 2823  
Serial No. : 10/024,850      Examiner : William D Coleman  
Filed : December 18, 2001      Confirmation No.: 8129  
Title : SEMICONDUCTOR DEVICE AND METHOD OF MANUFACTURING THE  
SAME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY TO ACTION OF JULY 8, 2003**

In reply to the Office Action of July 8, 2003, Applicant submits the following remarks.

Claims 1-18 are pending, with claims 1, 4, 7, 10, 13 and 16 being independent.

Claims 1-18 have been rejected as being anticipated by Yamazaki. Applicant requests reconsideration and withdrawal of this rejection because Yamazaki does not describe a semiconductor layer that includes crystals arranged in a direction substantially parallel with a length direction of a channel formation region, as recited in independent claims 1, 4 and 13, or in a direction substantially parallel with a carrier flow direction between source and drain regions, as recited in independent claims 7, 10 and 16. Contrary to the Examiner's assertion, Yamazaki nowhere describes a relationship between the arrangement of crystals and the channel length direction or the carrier flow direction.

Claims 1-18 also have been rejected for double patenting over claims 1, 5, 6, 11 and 15 of U.S. Patent 6,395,933. In making the rejection, the examiner states that the issue of priority under 102(g) and possibly 102(f) must be resolved. Applicant requests reconsideration and withdrawal of this rejection because the present application has the same inventors as, and claims priority from, the application that resulted in the '933 patent. Accordingly, since the present application and the '933 patent have the same inventors, there can be no issue of priority under 102(g) or 102(f).

Applicant submits that all claims are in condition for allowance.

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Attorney's Docket No.: 07977-188002 / US  
3427/3434D1

No fees are believed due. Please apply any charges or credits to deposit  
account 06-1050.

Respectfully submitted,

Date: October 8, 2003

  
John F. Hayden  
Reg. No. 37,640

**Customer No. 26171**  
Fish & Richardson P.C.  
1425 K Street, N.W.  
11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331

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